

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
Demos P. Demopoulos, Steven Goldman,	*	
Michael N. Romita, John Jack Dresch and	*	
Robert B. Greenes: as TRUSTEES of the	*	
LOCAL 553 BENEFITS FUND; and as	*	
TRUSTEES of the LOCAL 553 PENSION	*	
FUND; and as TRUSTEES of the LOCAL	*	
553 DEFERRED COMPENSATION FUND,	*	
	*	CV-07-09451 (DC)(MIID)
Plaintiffs,	*	
- against -	*	
	*	
MYSTIC TANK LINES CORP.,	*	
	*	
Defendant.	*	
-----	X	

SECOND DECLARATION OF VIKKI LEFKOWITZ IN SUPPORT  
OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I, VIKKI LEFKOWITZ, hereby depose and say, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the following is true and correct:

1. I am the Fund Office Manager of the Local 553 Pension, Benefits, and Deferred Compensation Trust Funds (the "Funds"). I am responsible for, among other things, reviewing the files of delinquent employers, preparing and maintaining the records of monies due by delinquent employers, and maintaining the records of the Funds.

2. Annexed hereto as Exhibit A is the remittance report for Mystic for the month of May 2008.

3. Mystic's May 2008 remittance report shows that it owes \$62,204.02 in contributions. To date, Defendant has not paid the contributions owing under the May 2008 remittance report.

4. The document in exhibit A to this Declaration is a record of the Funds that the Funds retain on file as part of its daily operations of collecting benefit fund contributions.

5. It is the regular practice of the Funds to make and/or retain such records.

6. The Funds make and/or retain such records from information submitted by employers, participants, and/or other entities.

7. When the Funds make and/or retain such records, it makes and/or retains the records at the time that the information is submitted to the Funds.

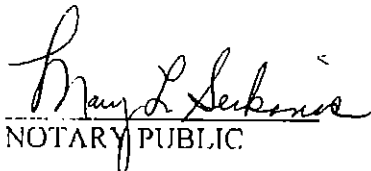
8. The Funds keep these records in the course of its regularly conducted business activity.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 6 30 2008  
New York, New York

  
VIKKI LEFKOWITZ

Sworn to before me this  
30<sup>th</sup> day of JUNE, 2008

  
NOTARY PUBLIC

**MARY L. SERKANIC**  
Notary Public, State of New York  
No. 01SE6098629  
Qualified in New York County  
Commission Expires Sept. 22, 2011

# Exhibit A

MYSTIC TANK LINES CORP  
LOCAL 553 PENSION REPORT  
MAY 2008

RECEIVED JUN 12 2008

NAME	SSN	HRS	CONTRIBUTION	
			@ 1.60/HOUR	
ADAMS, JAY JOHN	058-74-2165	270.00	432.00	T 5/10/2008
ADOW, JOHNSON KOBLA	083-92-8696	249.00	398.40	
AGAGA, CHARLES	094-82-4222	376.44	602.30	
AGUDELO, ALEJANDRO	051-92-1206	242.74	388.38	
ALLEGRETTO, JAMES J	130-46-1963	205.08	328.13	
ALLEN, TERRENCE	094-50-5970	280.26	448.42	
AMARU II, SIMEON A	055-74-7687	210.28	336.45	
AMARU, DAVID ANTHONY	056-74-0160	257.00	411.20	
AYCOCK, CHARLES J.	085-68-7198	220.50	352.80	
BALDARI, MICHAEL	103-74-2553	86.84	138.94	
BARAHONA, JOSE C.	111-66-3428	287.69	460.30	
BARAM, ALON	093-92-5290	244.60	391.36	
BASS, JASON C	055-70-2354	258.05	412.88	
BATHILY, ABDOULAYE	102-78-8205	279.64	447.42	
BAZEMORE, TARAN JULIUS	110-62-8428	293.09	468.94	
BERGER, JEFFREY	113-64-0409	200.50	320.80	
BILSKI, KEVIN	113-44-2454	156.57	250.51	
BONACCI, GREGORY J.	091-50-6793	230.15	368.24	
BOTSFORD, STEVEN CHARLES	070-44-6959	372.31	595.70	
BRADLEY, JERMIL RAHEEM	084-58-0866	263.92	422.27	
BUDZILEK, MACIEJ	055-86-9784	249.50	399.20	
CAGGIANO, MICHAEL V	070-42-4336	221.05	353.68	
CALDERON, MANUEL	053-60-2972	224.13	358.61	
CALDES, BENJAMIN	113-32-6080	189.91	303.86	
CALDWELL, TIMOTHY	086-58-2872	227.55	364.08	
CALLE, CARLOS EFREN	149-90-2550	298.94	478.30	
CAPPUCCIO, VINCENT J	113-62-1566	256.11	409.78	
CASTILLO, ANGEL	112-82-5277	311.71	498.74	
CASTILLO, DANNY	118-70-3776	240.85	385.04	
CERON, ALFREDO	058-82-2243	221.00	353.60	
CETOUTE, NICKENSON	057-90-6533	236.37	378.18	
CHAPMAN, RON A	079-86-8669	372.45	595.92	
CHAPMAN, RONALD	076-60-0463	285.88	457.41	
CONTINO, JOSEPH W.	133-60-8048	300.00	480.00	
CORRELL, JAMES	071-42-3983	299.66	479.46	
CRAIN, MICHAEL	131-40-6784	257.46	411.94	
CUCCU, RICHARD C	053-60-4434	289.75	463.60	
DE LA CRUZ, EIRY A.	094-82-3742	250.49	400.78	
DURSO, JOSEPH	134-50-8812	222.33	355.73	
EMRICH, ROBERT	106-48-6704	263.49	421.58	
FANELLI, JOSEPH	133-48-5814	273.17	437.07	
FERNANDEZ, ANGEL	062-70-7598	85.03	136.05	
FERNANDEZ, JOSE A.	061-58-4565	271.68	434.69	
FIELDING, CARL	122-82-8107	144.50	231.20	
FISHMAN, VLADIMIR	104-62-7357	235.31	376.50	
FORD, PAUL DAVID	382-58-8859	298.19	477.10	
FRASER, JERMAINE S.	114-78-8963	322.46	515.94	
FROELICH, MATTHEW M	126-66-4996	200.00	320.00	
GALOW, GORDON	113-54-9045	316.33	506.13	
GARCIA VACA, FELIX ARTURO	092-80-0274	264.69	423.54	
GARRIDO, MARLON	118-84-4156	329.71	527.54	
GEZLEV, SENOL	083-58-5782	215.18	344.29	
GONZALEZ, JONFRE	071-80-6591	335.65	537.04	
GOODWIN, ARTHUR	056-42-5904	275.44	440.70	
GREUBEL, JOSEPH G.	086-52-8852	233.86	373.86	
HAMDJATA, MANGARA HAMZA	185-72-5422	248.76	398.02	
HAMILTON, RAHMEL	143-62-7378	310.66	497.06	
HARRINGTON, THOMAS	132-56-1627	253.77	406.03	
HAUCK, CHARLES E	116-80-1398	270.10	432.16	

HEMION, ROY D.	130-54-7875	277.23	443.57
HUTZLER, THOMAS	060-60-1910	298.50	477.50
IRIZARRY, JORGE	082-60-1944	248.27	397.23
KARPINSKI, RICHARD	128-56-8716	171.13	273.81
KAUFMAN, LUIS	119-58-5531	86.81	138.90
KELLY, DENNIS	053-48-1596	356.99	571.18
KEMPSTER, WILLIAM	076-36-3399	184.06	294.50
KINNE, JOHN S	102-48-3959	471.35	754.16
KLEIN, STEVEN J	070-40-8215	365.87	585.39
KNOPH, ERIK ROY	073-66-5308	275.39	440.62
LARREA, MANUEL	068-90-0941	102.82	164.51
LAWRENCE, LEO JAIRZENO	069-90-9558	223.25	357.20
LEBRON, JOSE	263-85-6211	244.54	391.26
LEE, ANDRE	089-54-6622	270.69	432.94
LEE, JEROME	064-70-3163	188.04	297.68
LEWIS, DWAYNE EVERETT	595-01-8271	291.11	485.78
LONERGAN, KONRAD	107-52-2646	228.70	365.92
LONGMORE, WAYNE H	134-70-3034	380.50	608.80
LOPATOWSKI, ROBERT T	097-54-3159	237.43	379.89
LOPEZ, JOSE	107-94-8668	209.10	334.56
LOPEZ, JUAN	065-70-3836	243.55	389.68
MADERA, NESTOR G	082-84-5325	319.65	511.44
MARTIN, RONALD ELLIOT	127-38-1359	293.24	469.18
MARTINEZ, RAYMOND	097-36-3347	133.12	212.99
MCGOVERN, ROBERT	125-48-1058	394.11	630.58
MCGRAW, JAMES P.	177-60-4925	238.55	378.48
MENDICINO, EDWARD	063-58-2961	270.87	433.39
MERCEDES, ARISON	051-80-1147	295.05	472.08
MERCEDES, RAMON	051-80-1151	306.51	490.42
MILENKOVIC, MILIVOJE	115-50-6945	252.20	403.52
MIRANDA, EUGENIO	104-68-3448	200.50	320.80
MOLLIN, JOSEPH	128-58-2872	148.22	237.15
MURPHY, KEVIN JOSEPH	128-52-2622	251.20	401.92
NARDOZZA, THOMAS	081-60-4692	235.50	376.80
NARMANLI, TURGAY	110-74-3906	338.22	541.15
NORMAN, CARL	101-40-4046	342.87	548.59
NUDELMAN, SERGEY	114-64-2504	262.60	420.16
OGANDO, WILLIAM	109-70-7041	286.77	426.83
OKEEFE, CORNELIUS D	061-80-9320	248.50	394.40
OKLU, ISMAIL	578-11-8723	370.79	593.26
OLTULU, MIRAL	050-80-5368	209.80	335.68
OTTENWALDER, RUBEN	065-82-7978	290.97	465.55
PADULA, FRANK	100-62-8577	154.19	246.70
PAILLANT, JAMES	103-90-3246	344.23	550.77
PARSELL, ANTHONY MICHAEL	101-68-3095	228.00	364.80
PAVICH, RICHARD	097-72-2895	436.11	697.78
PAZ MANCIA, HUGO MARVIN	124-76-7438	278.70	445.92
PEARCE, DENNIS M	124-66-9009	366.75	588.80
PERRY, MATTHEW PATRICK	066-58-2408	308.30	490.08
PIRONTI, JOSEPH	069-48-7784	189.65	298.64
POLANCO, JORGE L.	598-54-4925	242.98	388.74
PUSZKO, RYSZARD	112-90-1653	286.26	410.02
QUISTGAARD, STEPHEN	100-48-5681	198.00	312.00
RAMIREZ, GEORGE	053-54-0122	431.97	691.15
RANKIN, ROBERT	121-74-9982	312.39	499.82
RIVAS, TOMAS	128-72-7373	98.75	158.00
RIVERA, ZENON	068-42-5874	427.74	684.38
ROBISHAW, CLARENCE J	098-44-1702	228.61	365.78
RODRIGUEZ, HUGO S.	050-88-8412	277.18	443.49
RUDEBUSH, DAVID C.	127-50-2927	288.73	429.97
RUPECK, DANIEL G	062-82-4889	229.68	367.49
SANCHES, GEREMIAS FRIGERI	073-82-0359	258.18	409.89
SAR, MAHMUT	144-88-9114	231.33	370.13
SEEPERSAUD, VIJAI RAVI	078-80-3520	301.88	483.01
SERINO, JOSEPH	057-42-1682	241.41	388.28

SHEPHERD, DWAYNE	117-56-9270	278.29	445.26	
SIHPOL, TOBIN	091-64-7888	224.63	359.41	
SIMOES, JOSE	134-50-7738	173.50	277.80	T 5/9/2008
SINAR, JAN	054-84-8132	261.60	402.56	
SMITH, CLARK GABLE	056-54-5413	363.68	581.89	
SMITH, RAYMOND	118-64-6709	209.65	335.44	
SMITH, THOMAS RUSSELL	103-38-2929	304.68	487.49	
STEBBINS, DAVID H	094-48-6838	172.23	275.57	
SWIK, JOHN JOSEPH	323-44-9939	193.84	310.14	
TAVERAS, CELSO	094-58-3305	287.81	460.50	
TEJEDA, MARIO	109-80-7049	300.48	480.77	
TENEMPAGUAY, RAMON U.	122-90-9782	255.21	408.34	
THEODOROU, STAVROS N	105-58-8987	244.81	391.70	
THOMPSON, MERRICK W.	055-62-4494	235.67	377.07	
TIMKE, TIMOTHY MICHAEL	130-48-3202	230.64	369.02	
TORTORELLA, FRANK J	122-82-5084	278.32	445.31	
TRAPALIS, ANDREAS	067-74-5905	278.52	442.43	
VICTORIA, MIGUEL	056-84-5271	241.59	388.54	
VITO, JOSEPH	092-46-8970	270.68	433.09	
WALLER, ROBERT MICHAEL	053-58-0246	166.19	265.90	
WALTERS, STEPHEN M.	129-60-7455	258.62	413.79	
WHITESIDE, RAYMOND	493-54-6178	276.41	442.26	
WILLIS, WILLIAM J	092-86-2491	224.24	358.78	
WNOROWSKI, ADAM	086-78-1441	305.28	488.45	
WOLF, VICTOR	054-56-1438	212.00	339.20	
ZERVAKOS, PETER	113-28-8384	284.19	454.70	
		38,877.51	62,204.02	